

## **IN THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (currently amended): A surgical sponge comprising:
  - a) three substantially spherical ~~a plurality of~~ radiopaque markers;
  - b) said markers being closely grouped to one another;
  - c) each of said markers having an x-ray density equivalent to at least about 0.1 g/cm<sup>2</sup> of BaSO<sub>4</sub>; and;
  - d) ~~wherein~~ said radiopaque markers ~~are~~ being disposed in a relationship that is substantially fixed both in spacing and in orientation.
2. (previously presented): A surgical sponge as recited by claim 1, wherein each of said markers has an x-ray density equivalent to at least about 0.1 g/cm<sup>2</sup> of BaSO<sub>4</sub> for x-rays incident on said target in any direction.
3. (original): A surgical sponge as recited by claim 1, wherein said x-ray density is equivalent to at least about 0.2 g/cm<sup>2</sup> of BaSO<sub>4</sub>.
4. (original): A surgical sponge as recited by claim 2, wherein said x-ray density is equivalent to at least about 0.2 g/cm<sup>2</sup> of BaSO<sub>4</sub>.
5. (previously presented): A surgical sponge as recited by claim 1, wherein each of said markers has an area of at least 5 mm<sup>2</sup> in at least one projection.
6. (previously presented): A surgical sponge as recited by claim 5, wherein each of said markers has an area of at least 5 mm<sup>2</sup> in any projection.

7. (currently amended): A surgical sponge as recited by claim 1, wherein said three substantially spherical radiopaque ~~each of said~~ markers produces an x-ray image having a distinctive, visually recognizable shape.
8. (canceled)
9. (canceled)
10. (canceled)
11. (original): A surgical sponge as recited by claim 1, further comprising a remotely detectable electronic article surveillance tag.
12. (cancelled)
13. (currently amended): A method of detecting a surgical sponge within a surgical patient, said surgical sponge comprising three substantially spherical ~~a plurality of~~ radiopaque markers, said markers being closely grouped to one another, each of said markers having an x-ray density equivalent to at least about 0.1 g/cm<sup>2</sup> of BaSO<sub>4</sub>, ~~wherein~~ ~~said radiopaque markers are being~~ disposed in a relationship that is substantially fixed both in spacing and in orientation, and said method comprising the steps of: (a) obtaining at least one x-ray of at least a portion of said patient likely to contain said radiopaque markers; and (b) examining said x-ray to detect and locate an image of said sponge.
14. (currently amended): A method of detecting a surgical sponge within a surgical patient and treating said surgical patient, said surgical sponge comprising three substantially spherical ~~a plurality of~~ radiopaque markers, said markers being closely grouped to one another, each of said markers having an x-ray density equivalent to at least about 0.1 g/cm<sup>2</sup> of BaSO<sub>4</sub>, ~~wherein~~ ~~said radiopaque markers~~

~~are being~~ disposed in a relationship that is substantially fixed both in spacing and in orientation, and said method comprising the steps of: (a) obtaining at least one x-ray of at least a portion of said patient likely to contain said radiopaque markers; (b) examining said x-ray to detect and locate an image of said sponge; and (c) carrying out a surgical procedure to remove said sponge from said patient.

15. (canceled)

16. (canceled)